

**THE ATKIN FIRM, LLC**

Formed in the State of New Jersey

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*Attorneys for Plaintiff Strike 3 Holdings, LLC*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

STRIKE 3 HOLDINGS, LLC,

Plaintiff,

v.

JOHN DOE subscriber assigned IP  
address 173.71.68.16,

Defendant.

Case No. 1:18-cv-02674-RBK-JS

**NOTICE OF APPEAL OF  
MAGISTRATE JUDGE'S ORDER**

**TO: ALL COUNSEL OF RECORD IN THE ABOVE CAPTIONED  
MATTER**

**PLEASE TAKE NOTICE** that on December 2, 2019, at 9:30 a.m., or as soon thereafter as counsel may be heard, the undersigned attorneys for Plaintiff Strike 3 Holdings, LLC ("Plaintiff") will move before the Honorable Robert B. Kugler, U.S.D.J., of the United States District Court for the District of New Jersey, at the Mitchell H. Cohen Building & U.S. Courthouse, 1 John F. Gerry Plaza, 4th &

Cooper Streets, Camden, NJ 08101, for an Order (1) reversing the Magistrate Judge's Order denying Plaintiff leave to conduct limited early discovery and for an extension of time to serve process in this matter, ECF No. 27, pursuant to 18 U.S.C. § 636, Federal Rule of Civil Procedure 72, and Local Civil Rule 72.1; and (2) granting the requested relief.

**PLEASE TAKE FURTHER NOTICE** that in support of this Appeal, Plaintiff will rely upon the accompanying Brief and Certification of John C. Atkin, Esq., submitted herewith; any reply papers in support of this Motion; and oral argument, if any.

**PLEASE TAKE FURTHER NOTICE** that pursuant to Local Civil Rule 7.1(e), a proposed form of order is also submitted herewith for the Court's consideration.

DATED: October 31, 2019

Respectfully submitted,

**THE ATKIN FIRM, LLC**

*Attorneys for Plaintiff,  
Strike 3 Holdings, LLC*

By: /s/ John C. Atkin, Esq.  
JOHN C. ATKIN